UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/CONF.164/L.9
1 July 1993

ORIGINAL: ENGLISH

UNITED NATIONS CONFERENCE ON
STRADDLING FISH STOCKS AND
HIGHLY MIGRATORY FISH STOCKS
New York, 12-30 July 1993

COMMENTS ON ISSUES BEFORE THE CONFERENCE SUBMITTED BY THE DELEGATION OF AUSTRALIA

The following suggestions are offered by Australia to assist in identifying the range of matters for consideration at the United Nations Conference session in July. Australia hopes to work with other countries to achieve strong outcomes from the Conference capable of practical application to the problems occurring in high seas fisheries for straddling stocks and highly migratory species.

There is a need for a balance between the development of global standards/principles for the management and conduct of fishing operations and the recognition of specific regional requirements. Distant-water fishing fleets are highly mobile and, in the absence of globally applicable standards, solutions in one region may result in exacerbation of problems in another. Nevertheless, in each of the oceans where fishing on the high seas occurs, there are specific biological, geographical, economic and political characteristics which need to be taken into account if effective solutions for the conservation and management of fishery resources are to be achieved.

For many of the problems which underlie the calls for the Conference the solutions go beyond whether or not the resource being fished is a straddling stock or a highly migratory species.

The following list has been prepared to assist in identifying issues for consideration and in developing the structure of the work programme for the July session of the Conference.

1. Identification of specific fisheries for straddling stocks and highly migratory species (SS/HMS) where there are problems in relation to high seas fishing -

   - and the underlying issues which must be dealt with to address those problems.

2. The information base for decision-making in relation to SS/HMS fisheries:

   - Catch and effort data collection from high seas fleets, including quality, timeliness and dissemination;

   - Default obligations for high seas fishers, e.g., obligation to collect and share relevant catch and effort information:

     - Repositories for data;

     - Who should have access to data.

3. Research:

   - Development and information exchange on new stock assessment methodologies;

   - Cooperation in scientific research:

     - Carriage and/or facilitation of operations of scientific observers and researchers;

     - Cooperation in tagging programmes.

4. Information on fleet sizes, capacity, structure and operations:

   - Overcapacity of world fishing fleets and its effects on high seas resources;

   - Management action needed to address overcapacity.

5. Access to high seas fisheries by developing countries.

6. Elaboration of the range of matters which should be embraced by the duty to cooperate specified in the United Nations Convention on the Law of the Sea:

   - E.g., from data collection/sharing through to dispute settlement;

   - Forms of cooperation available under articles 63 (2) and 64;

   - Obligations flowing from the common property nature of fisheries resources on the high seas, e.g., accountability on the part of those fishing high seas resources to the international community;

   - Value of institutional frameworks specifically appropriate to each region.

7. Elaboration of flag State responsibility:

   - Principles and standards for flag State control of high seas fishing operations:

- Possible mechanisms for establishing operational standards, e.g., international code of conduct;

- Dealing with problems caused by reflagging;

- Flag State responsibility for data collection and verification, as well as monitoring, control and surveillance.

8. Management techniques available to SS/HMS fisheries:

- Input controls - vessel numbers, gear limitations, etc.;

- Optimum sustainable yield, total allowable catches (TACs) and national allocations;

- Quota allocation mechanisms/criteria;

- Seasonal/area closures;

- Regulation of transshipment.

9. Precautionary approaches to management.

10. Monitoring, control and surveillance systems, including:

- National and integrated satellite data transmission systems;

- Regional and international vessel registers;

- Data verification systems;

- Regional inspection systems;

- Internationally recognizable vessel and gear marking systems;

- Multilateral observer programmes and/or access to data for research personnel.

11. Effectiveness of regional fishery organizations, including consideration of competence, coverage, functions, membership and decision-making processes:

- Possible remedies for existing problems;

- Dispute settlement procedures.

12. Use of environmentally sustainable fishing methods and practices:

- Minimizing impacts on non-target species:

  - Fish by-catch;

  - Incidental catches of other marine life.

13. Obtaining maximum value from catch in high seas fisheries - addressing issues of waste in catching, processing and storage.